

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) CASE NO. 8:09CR27
)
Plaintiff,)
)
vs.) FINAL ORDER OF
)
 FORFEITURE
DAVID J. HERNANDEZ, and)
RODRIK J. STONE,)
)
Defendant.)

This matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 155). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On June 15, 2009, the Court entered a Preliminary Order of Forfeiture (Filing No. 103) forfeiting the Defendants' interests in \$1,600.00 in United States Currency, a Thomas Center .50 caliber muzzle loader rifle, serial number 58437, and a Walther .40 caliber pistol, serial number 402443.
2. The United States informs the Court that, since the Preliminary Order of Forfeiture was entered, the Bureau of Alcohol, Tobacco and Firearms administratively forfeited the two weapons.
3. Notice of Criminal Forfeiture of the \$1,600.00 in United States Currency was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on February 26, 2011, as required by Rule G(4)(a)(iii)(B) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on May 9, 2011 (Filing No. 154).

4. The Court has been advised by the United States no Petitions have been filed.

From a review of the Court file, the Court finds no Petitions have been filed.

IT IS THEREFORE ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture (Filing No. 155) is hereby sustained.

B. The Thomas Center .50 caliber muzzle loader rifle, serial number 58437, and Walther .40 caliber pistol, serial number 402443, are hereby dismissed from this forfeiture action. The Indictment's (Filing No. 1) Forfeiture Allegation concerning the Thomas Center .50 caliber muzzle loader rifle, serial number 58437, and Walther .40 caliber pistol, serial number 402443, is hereby dismissed.

C. All right, title and interest in and to the \$1,600.00 in United States Currency held by any person or entity is hereby forever barred and foreclosed.

D. The \$1,600.00 in United States Currency be, and the same hereby is, forfeited to the United States of America .

E. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 21st day of June, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge